

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.2758 of 2016

and

CMP.No.14151 of 2016

R.Balamurugan

..Petitioner

Vs.

Valarmathi

..Respondent

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and final order passed in IA.No.331 of 2016 in OS.No.148 of 2010 on the file of the Sub Court, Mettur dated 02.08.2016 and to set aside the same.

For Petitioner : Mr.R.Babu

For Respondent : Mr.P.Valliappan

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ORDER

This civil revision petition is arising out of fair and final order passed in IA.No.331 of 2016 in OS.No.148 of 2010 on the file of the

Sub Court, Mettur dated 02.08.2016 thereby dismissing the petition seeking permission to file additional written Statement.

2. The petitioner is the defendant in the suit filed by the respondent herein for recovery of money. The suit was filed on 01.10.2010. The petitioner filed his written statement on 02.02.2011. The petitioner took a specific stand that the respondent is a stranger and he never borrowed any amount from the respondent and he never executed any pronote in his favour. After PW1's examination, the petitioner filed petition to reopen and recall PW1 and the same was dismissed and aggrieved by the same the petitioner filed civil revision petitions before this Court in CRP.Nos.1514 & 1515 of 2016 and the same were also dismissed by this Court by order dated 06.06.2016 and also specifically directed the trial court to dispose of the suit within a time frame. This Court dismissed the petition on 06.06.2016. Thereafter when the matter was posted for defendant's evidence on 21.06.2016, again the petitioner filed petition for seeking permission to file additional written statement.

3. On perusal of the additional written statement, he introduced new set of defence and it is no way connected with the earlier written statement. Therefore, the trial court rightly dismissed

the petition and this Court finds no irregularity or infirmity in the order passed by the court below.

4. Accordingly, the civil revision petition is dismissed. However, the trial court is directed to complete the trial within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed. No order as to costs.

02.03.2021

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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To

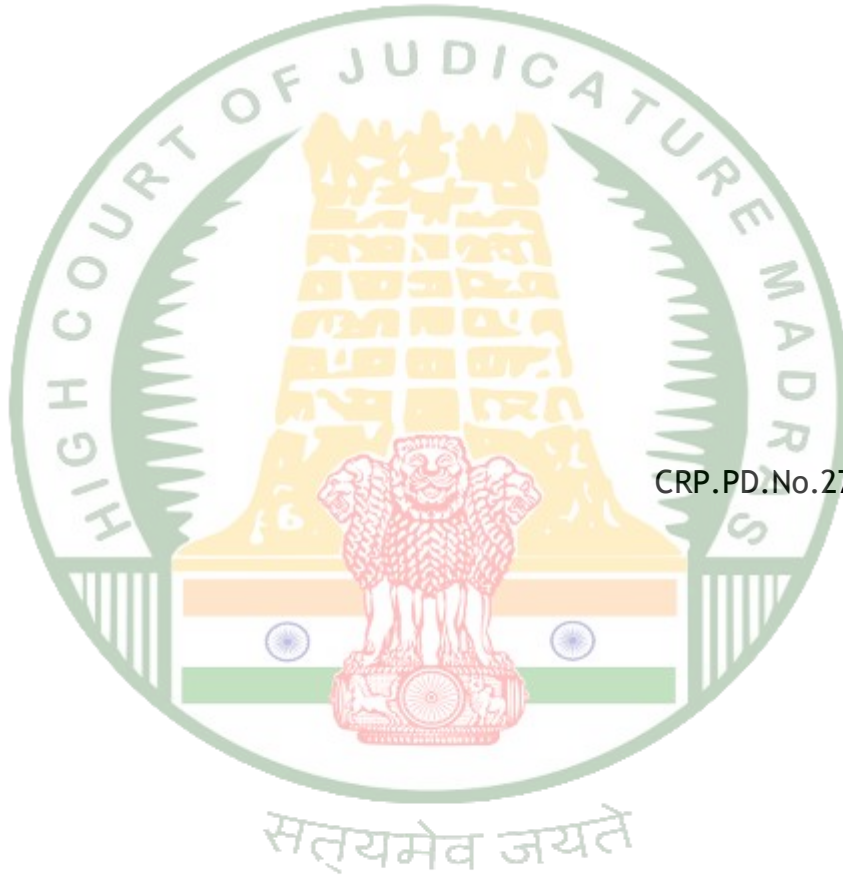
The Subordinate Judge,
Mettur



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G.K.ILANTHIRAIYAN,J.

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